



3735 \$
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PTO/SB/21 (08-00)

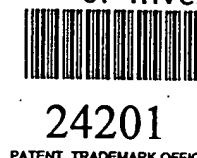
Approved for use through 10/31/2002. OMB 0651-0031

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| | | |
|--|------------------------|---------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09,811,104 |
| | Filing Date | March 16, 2001 |
| | First Named Inventor | Fernando J. Isaza, et al. |
| | Group Art Unit | 3735 |
| | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | Attorney Docket Number | PURIT-54796 |

| ENCLOSURES (check all that apply) | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice to File Missing Parts, Submission of Statement of Inventors in Support of Petition for Correction of Inventorship, Statement by Inventor Regarding Correction of Inventorship, Declaration and Power..., Return Postcard |
| Remarks | | |



PATENT & TRADEMARK OFFICE

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | David G. Parkhurst, Reg. No. 29,422 FULWIDER PATTON LEE & UTECHT, LLP |
| Signature | <i>David G. Parkhurst</i> |
| Date | July 27, 2001 |

| CERTIFICATE OF MAILING | |
|---|-------------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>July 27, 2001</u> | |
| Typed or printed name | David G. Parkhurst, Reg. No. 29,422 |
| Signature | <i>David G. Parkhurst</i> |
| Date | July 27, 2001 |

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PTO/SB/17 (11-00)
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 410.00

Complete if Known

| | |
|----------------------|--------------------------|
| Application Number | 09,811,104 |
| Filing Date | March 16, 2001 |
| First Named Inventor | Fernando J. Isaza et al. |
| Examiner Name | Unassigned |
| Group Art Unit | 3735 |
| Attorney Docket No. | PURIT-54796 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 06-2425
Deposit Account Name: FULWIDER PATTON

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Code (\$) | Small Entity Code (\$) | Fee Description | Fee Paid |
|------------------------|------------------------|------------------------|----------|
| 101 710 | 201 355 | Utility filing fee | |
| 106 320 | 206 160 | Design filing fee | |
| 107 490 | 207 245 | Plant filing fee | |
| 108 710 | 208 355 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims: -20** = X =
Independent Claims: -3** = X =
Multiple Dependent: =

| Large Entity Code (\$) | Small Entity Code (\$) | Fee Description |
|------------------------|------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 80 | 202 40 | Independent claims in excess of 3 |
| 104 270 | 204 135 | Multiple dependent claim, if not paid |
| 109 80 | 209 40 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | \$130 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for ex parte reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | \$110 |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 390 | 216 195 | Extension for reply within second month | |
| 117 890 | 217 445 | Extension for reply within third month | |
| 118 1,390 | 218 695 | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | Design issue fee | |
| 144 600 | 244 300 | Plant issue fee | \$130 |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | \$40 |
| 146 710 | 246 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 410.00

SUBMITTED BY

Name (Print/Type) David G. Parkhurst

Registration No. (Attorney/Agent) 29,422

Complete (if applicable)

Telephone 310-824-5555

Signature

David G. Parkhurst

Date

July 27, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Writer's Direct Dial:

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E-mail: dparkhurst@fulpat.com

March 23, 2001

Via Federal Express

MALLINCKRODT, INC/NELLCOR

PURITAN BENNETT

2200 Faraday Avenue

Carlsbad, CA 92008-7208

Attention: Human Resources

Re: New U.S. Reissue Application
Based on U.S. Patent No. 5,881,717
Issued: March 16, 1999
Entitled: System and Method for Adjustable
Disconnection Sensitivity
Our Docket No.: PURIT 54796

RECEIVED

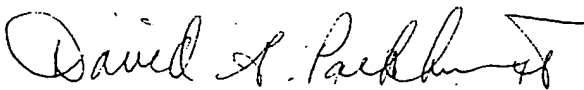
NOV 05 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Dear Sir/Madam:

Please forward the enclosed envelope to Stanley Y. Wong. Thank you for your cooperation.

Sincerely,



David G. Parkhurst

For FULWIDER PATTON UTECHT, LEE, LLP

DGP:rvw

Encls.

FULWIDER • PATTON

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LOS ANGELES LONG BEACH

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(310) 824-5555

FAX (310) 824-9696

Writer's Direct Dial:

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E-mail: dparkhurst@fulpat.com

March 23, 2001

Via Federal Express

Mr. Stanley Y. Wong
5182 Frazee Road
Oceanside, CA 92056

Re: New U.S. Reissue Application
Based on U.S. Patent No. 5,881,717
Issued: March 16, 1999
Entitled: System and Method for Adjustable
Disconnection Sensitivity
Our Docket No.: PURIT 54796

Dear Stan:

Although you indicated to me over the telephone on March 13, 2001 that you refuse to participate in this reissue application, in order to proceed with the application we must ask you to please sign and date the enclosed Declaration and Power of Attorney, Assignment, and a Statement by Inventors, and return them to us for filing with the reissue application, as soon as possible. A self-addressed, stamped return FedEx envelope is also enclosed for your convenience.

Mr. Stanley Y. Wong
March 23, 2001
Page 2

Also enclosed for your information are copies of the reissue application and preliminary amendment. Please feel free to call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Parkhurst", with a stylized flourish at the end.

David G. Parkhurst
For FULWIDER PATTON UTECHT, LEE, LLP

DGP:rvw
Encls.

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Company: FULMIDEX PATMON LEE & UTECHT

Address: 6060 CENTER DR 9TH FL

City: LOS ANGELES State: CA ZIP: 90045

2 Your Internal Billing Reference: PURITS4796

3 To: Recipient's Name: Stanley Wong Phone: _____

Company: _____

Address: 5182 Frazee Road

City: Oceanside State: CA ZIP: 92054



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